

CHAPTER 80. EVALUATE A PART 121/135.411(a)(2) CERTIFICATE HOLDER'S SHORT-TERM ESCALATION PROCEDURE

SECTION 1. BACKGROUND

1. PROGRAM TRACKING AND REPORTING SUBSYSTEM (PTRS) ACTIVITY CODES.

A. Maintenance: 3320

B. Avionics: 5320

2. OBJECTIVE. This chapter provides guidance for evaluating Title 14 of the Code of Federal Regulations (14 CFR) part 121 and part 135, § 135.411(a)(2) certificate holder's short-term escalation procedures based on requirements for operations specification (OpSpec) D076, Short-Term Escalation Authorization.

3. GENERAL. A certificate holder's time limitations, maintenance intervals, and instructions and procedures to conduct inspections, which include the necessary tests and checks, are an integral part of their maintenance and inspection program. This program is a fundamental component of the certificate holder's Continuous Airworthiness Maintenance Program (CAMP). On average, the inspection intervals in the certificate holder's manual include a degree of safety to maximize aircraft reliability. Due to unanticipated circumstances, a certificate holder might need to temporarily adjust the interval for an individual aircraft, system, or component.

A. Use of a Short-Term Escalation Authorization.

(1) By authorizing the use of the certificate holder's short-term escalation procedures, the Federal Aviation Administration (FAA) is allowing the certificate holder to apply the limitations of OpSpec D076 to aircraft maintenance intervals, airframe component and appliance maintenance intervals, and powerplant component and accessory maintenance intervals. The limitations imposed by OpSpec D076 and the certificate holder's procedures should not allow a short-term escalation that would compromise the airworthiness of an aircraft or any safety of flight issue. Unanticipated situations arise,

such as contractor scheduling, conflicts in weather, parts availability, or other unscheduled maintenance, during which the short-term escalation of a maintenance interval may be used.

(2) Principal inspectors (PI) must closely monitor the use of short-term escalation authorizations to ensure they are not being abused or used indiscriminately and that they do not conceal unsound maintenance practices, maintenance program deficiencies, or poor management decisions.

(3) Short-term escalations for aircraft, aircraft systems, or components not subject to a reliability program may only be authorized by the issuance of OpSpec D076 or by a FAA certificate-holding district office (CHDO)/certificate management office (CMO) authorization on a case-by-case basis.

(4) Certificate holders operating aircraft, aircraft systems, or components under the controls of an approved reliability program may issue short-term escalations, provided that short-term escalation procedures have been incorporated into their reliability program.

(5) The certificate holder must provide policy, procedures, instructions, and/or information in the manual, which allows personnel concerned with short-term escalations to perform their duties and responsibilities to a high degree of safety.

(6) A short-term escalation should only be used after the certificate holder thoroughly evaluates all of the alternatives and gives careful consideration to the operating performance and the continued airworthiness of the aircraft, systems, and components. A review of the proposed escalation should include:

- If the short-term escalation authorization applies to powerplants, powerplant accessories and components, propellers and

gearboxes, and airframe accessories and components, the certificate holder must provide previous inspection results or justifiable data from previous teardown reports

- If supplemental inspections are warranted during the escalation period to ensure continued airworthiness of the airframe, system, or component, the certificate holder must provide the CHDO/CMO with a supplemental inspection schedule

(7) Short-term escalations cannot be issued after an item has exceeded an established maintenance program time limitation. PIs should monitor each short-term escalation to ensure that non-compliance with the certificate holder's time limitations is not being hidden by the use of short-term escalations. PIs should look at the current time limitation, the current time, and the proposed escalation to properly monitor for these situations.

NOTE: The short-term escalation must not be construed as a permanent escalation to the task or check interval.

(8) Maximum short-term escalation intervals may be a percentage of an existing time interval for a particular task, or may be designated in hours of time-in-service, cycles, or some other identifiable increment. Except under certain conditions, the maximum time allowable for a short-term escalation is 10 percent, not to exceed 500 hours/cycles time-in-service. Maintenance tasks or checks that are controlled by calendar days or years would also be limited by 10 percent, not to exceed the amount of days it would take the aircraft to reach the 500-hour time-in-service limit. (For example, if a certificate holder's utilization is 10 hours a day, then a particular calendar task can be short-term escalated for a maximum of 10 percent but may not exceed 50 days (500 hours x 10 hours a day = 50 days).) Certificate holders must describe the methods and procedures for calculating short-term escalation intervals in their manual.

(9) The certificate holder must notify the CHDO/CMO no later than the next working day following the certificate holder's issuance of the short-term escalation. To ensure continuity between the FAA and the certificate holder, it is recommended that the certificate holder's program include procedures to

notify the CHDO/CMO by telephone within 24 hours after the authorization is issued, followed by written notification no later than 72 hours after.

B. Extension of Short-Term Escalations. The 10 percent, not to exceed 500-hour maximum time limit for a short-term escalation, is usually sufficient for a certificate holder to accomplish required tasks. Under special conditions, an individual item may be extended beyond the maximum limit. The certificate holder must perform sufficient analysis and provide adequate justification to the CHDO to substantiate the extension request. All extension requests beyond the maximum limit require prior approval by the PI.

C. Prohibitions. Short-term escalation procedures do not apply to the following:

(1) Intervals specified by FAA Airworthiness Directives;

(2) Life limits specified by type certificate data sheets;

(3) Limitations specified by minimum equipment lists or Configuration Deviation Lists (CDL);

(4) Structural sampling periods imposed by maintenance review boards; and

(5) Certification Maintenance Requirements (CMR) (unless specifically allowed and designated by the CMR document).

D. Buying Back of Time.

(1) It cannot be assumed that all short-term escalation time granted, must be "bought back" at the next inspection. Each carrier's program must be evaluated during development and revisions to determine if and when a "buying back" of time may be required.

(2) Carriers routinely combine individual maintenance tasks with common intervals into letter checks. These letter checks normally run in a series (e.g., C1, C2, C3, etc.). The use of a short-term escalation authorization to extend a letter check that is part of a series of letter checks will also impact the compliance times of individual maintenance tasks that compile the checks. An example of this is as follows: A particular maintenance task is due every 4,000 hours and is added to the C check series. The C1 is due at 1,000 hours, the C2 at 2,000 hours, and so

forth. In this scenario, the particular task was placed on the C4 for completion. Let's say the certificate holder exercises its short-term escalation process on the C2 check by escalating it 100 hours. After this escalation, the normal repeat interval of 1,000 hours is continued through the rest of the C check series. Now the certificate holder does an individual maintenance task compliance audit and discovers that this particular task, which was required by their maintenance program to be completed at 4,000 hours, was actually completed at 4,100 hours (because of the short-term escalation exercised by the carrier for the C2). Even though this particular task was not part of the C2 package, it is acceptable for the task to have exceeded the maintenance program requirement in the amount equal to the short-term escalation authorized (maximum of 10 percent).

(3) While constructing their check packages, carriers should take particular care to avoid the possibility of including maintenance tasks that are prohibited from being short-term escalated (refer to paragraph 3C above). If carriers wish to include those prohibited tasks, then the PI and the carrier must evaluate the effects of the short-term escalation and determine if "buying back" of time granted during the short-term escalation is required. If this situation was used in the above scenario and the particular 4,000-hour task was unacceptable for short-term escalation, then the carrier would be in violation unless the time was "bought back" after the C2 short-term escalation to avoid exceeding the 4,000-hour requirement of the task.

NOTE: For the purposes of this chapter, short-term escalation applies to both inspections and any other maintenance requirement (operational

check, functional check, restoration, and discard) of the aircraft, aircraft appliances, and components. The only items not allowed to be subject to short-term escalation are listed in paragraph 3C above.

E. U.S. Military Contracts.

(1) Certificate holders may not use short-term escalation procedures to conduct operations under a U.S. military contract. Such operations using short-term escalation procedures must be authorized under the provisions of 14 CFR part 119, § 119.55.

(2) Basically, short-term escalation has always been intended for use only when events outside the control of the air carrier prevent the air carrier from performing scheduled maintenance. Consistent with the regulatory requirement to maintain operational control, flight scheduling is always under the control of the air carrier. Therefore, the use of short-term escalations may not be used to satisfy flight scheduling requirements. Further, when an air carrier conducts flight operations under a U.S. military contract, there is no longer an unanticipated situation. The use of short-term escalations to conduct flight operations under a U.S. military contract is contrary to Order 8300.10 policy and OpSpec D076.

(3) Because OpSpec D076 does not permit short-term escalations for events that are within the air carriers' control, such as flight scheduling, air carriers may use § 119.55 to request a deviation from any of the requirements of part 119, 121, or 135. In these cases, after all the conditions in § 119.55(c) have been satisfied, the FAA will issue a non-standard OpSpecs under § 119.55(d) authorizing a deviation from any scheduled maintenance time limit.

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SECTION 2. PROCEDURES

1. PREREQUISITES AND COORDINATION REQUIREMENTS.

A. Prerequisites:

- Knowledge of the regulatory requirements of 14 CFR parts 121 and 135, as applicable
- Successful completion of the Airworthiness Inspector Indoctrination course(s) or equivalent

B. Coordination. This task requires coordination between the airworthiness PI and the certificate holder.

2. REFERENCES, FORMS, AND JOB AIDS.

A. References:

- Air Transportation Oversight System (ATOS) Element Performance Inspection (EPI) Code: 1.3.23

B. Forms:

- FAA Form 8400-8, Operations Specifications

C. Job Aids:

- Automated OpSpecs checklists and worksheets
- Job Task Analysis (JTA): 3.3.44, 3.3.137, 3.3.166

3. PROCEDURES. Review the air carrier certificate holder's manual and ensure that:

A. The general policies section of the applicable manual contains the duties, responsibilities, and authority for part 119, § 119.65 personnel (ref. § 119.65(e)), and for any other management personnel and appropriate members of the ground organization (e.g., quality assurance (QA), quality control (QC), maintenance planning, recordkeeping; ref. part 121, § 121.135(b)(2)).

B. The manual contains duties, responsibilities, and instructions to keep each of its employees and other persons used in its operations informed of the

provisions of its OpSpec D076 that applies to that employee's or person's duties and responsibilities (ref. § 119.43(c)).

C. There are clear policies, procedures, instructions, and/or information to allow personnel concerned with the OpSpec D076 authorized short-term escalation process to perform duties and responsibilities to a high degree of safety (ref. § 121.135(a)(1), § 121.135(b)(1), OpSpec D072, and OpSpec D076).

D. The certificate holder has inserted pertinent excerpts of its OpSpec D076, or references thereto, in its manual (ref. § 119.43(b)), identified each such excerpt as a part of its OpSpecs (ref. § 119.43(b)(1)) and has stated that compliance with each OpSpec D076 requirement is mandatory (ref. § 119.43(b)(2)).

E. It defines the maximum limitations for a short-term escalation.

F. It contains criteria defining the type of data acceptable for justifying a short-term escalation and procedures to ensure that that no short-term escalations are authorized without supporting data.

G. It corresponds with the overall maintenance program. The procedures must ensure that an escalation will not create an unsafe condition.

H. It restricts the occurrence of repetitive short-term escalations that indicate a need for a change in the maintenance program.

I. It provides a method for recording all escalations, with provisions for submitting/reporting each request/use of an escalation to the CHDO.

J. There must be policies and procedures to ensure the short-term escalation program interacts with the Continuing Analysis Surveillance System (CASS). CASS must provide performance measurements to ensure the program is producing desired results.

K. There are procedures and controls in place to prevent the use of short-term escalation on aircraft that are operating under the provisions of a U.S. military contract.

4. TASK OUTCOMES.

A. *Complete PTRS.*

B. *File ATOS EPI Code: 1.3.23.*

C. *Complete the Task.* Successful completion of this task will result in one of the following:

(1) A letter to the certificate holder indicating denial of the short-term escalation authorization.

(2) An amendment to the certificate holder's OpSpecs, if applicable, authorizing short-term escalation authorization.

D. *Document Task.* File all supporting paperwork in the certificate holder's office file.

5. FUTURE ACTIVITIES. Monitor the operation closely as follows:

- Ensure authorization is not being abused
- Ensure manual procedures are being followed
- Monitor the aircraft's records for inspection compliance
- Review the projected inspection schedule; ensure that the short-term escalation authorization requirements have been applied